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4 Attorney for Defendant
5 SYNPEP CORPORATION AND
CHI YANG
6

7 **IN THE UNITED STATES DISTRICT COURT**
8 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
9 **OAKLAND DIVISION**

10 UNITED STATES OF AMERICA) No. CR 06-0374 SBA
11)
Plaintiff,) **STIPULATION AND ORDER FOR**
12) **CONTINUANCE OF TRIAL DATE**
v.)
13)
14 SYNPEP CORPORATION AND)
CHI YANG,)
15)
Defendants.)
16)

17 _____
18 The defendants through counsel Stuart Hanlon, and the government through Assistant
19 U.S. Attorneys Christina Hua and Tracie Brown hereby stipulate as follows:

20 Defense counsel has filed a Motion to Continue the presently set trial date of October 5,
21 2009 in this matter. The hearing on said motion was to be heard today, September 8, 2009. The
22 government filed a Non-Opposition Reply to Defendant’s Motion to Continue the trial date. It is
23 hereby requested that the Court grant the continuance motion for the reasons stated in the
24 Declaration of Counsel filed in support of Defendant’s Motion to Continue the trial date.. In
25 particular, both sides requested that the Continuance Motion be granted for continuity of counsel
26 and so that counsel has adequate time to prepare. Further, both sides request that the presently

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28 *& Trial Dates*

1 set trial date of October 5, 2009 and all pretrial dates be vacated. The parties hereby request that
2 this matter be scheduled for September 22, 2009 at 9:00 a.m. for status and possible change of
3 plea and/or trial setting.

4 Further, in light of the complexity of the case, the amount of discovery remaining to be
5 reviewed by the defense and the additional reasons as set forth in defendant's motion to
6 continue, the parties agree to exclude time from the speedy trial act calculations from September
7 8, 2009 to September 22, 2009. Failure to grant the request for continuance and exclusion of
8 time will unreasonably deny defense counsel reasonable time necessary for effective preparation,
9 taking into account the exercise of due diligence and a need for counsel to prepare for trial and
10 will deny the defendant continuity of counsel, 18 U.S.C. Section 3161(h)(7)(A)(b)(iv).

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12
13 Dated: September 8, 2009 s/Stuart Hanlon, CSBN: 66104
14 Attorney for Defendant
15 SYNPEP CORPORATION and CHI YANG
16 179 11th Street, 2nd Floor
17 San Francisco, CA 94103
18 415/864-5600
19 stuart@stuarthanlonlaw.com

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21 Dated: September 8, 2009 s/Christina Hua
22 s/Tracie Brown
23 Assistant U.S. Attorney
24 Office of The U.S. Attorney
25 450 Golden Gate Avenue, 11th Floor
26 San Francisco, CA 94102

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28 **ORDER**

Good cause having been shown and by Stipulation of the parties herein, the Court grants
Defendant's Motion to Continue the presently set trial date of October 5, 2009. The Court
grants this Motion to Continue the trial date based on the above Stipulation, the Declaration of
Counsel in support of Defendant's Motion to Continue the trial date, and in particular, the need

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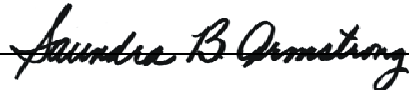
1 for defense counsel to have time to adequately prepare for trial as well as the continuity of
2 counsel.

3 IT IS HEREBY ORDERED that the October 5, 2009 trial date and all previously-set
4 dates relating to pretrial papers are hereby vacated. Further, the Court sets this matter for all
5 parties to appear on September 22, 2009 at 9:00 a.m. for status and/or possible change of plea.

6 Further, pursuant to Stipulation and good cause appearing, it is ordered that, with the
7 consent of the Defendant, and all counsel, the period from September 8, 2009 to September 22,
8 2009 is excluded from Speedy Trial Act calculations under 18 U.S. C. Section 3161(h)(7)(A) &
9 (B)(iv), as the ends of justice served by excluding that time outweigh the best interest of the
10 public and the defendant in a speedy trial and the prompt disposition of criminal cases.

11 **IT IS SO ORDERED.**

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13 Dated: 9/8/09



14 HON. JUDGE SAUNDRA B. ARMSTRONG

15 UNITED STATES DISTRICT COURT
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